

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

Motion GRANTED.
Hearing reset for
4/3/13 at 11:00 a.m.

UNITED STATES OF AMERICA

v

Case No. 2:01-cr-00009
Judge Trauger

PATRICK SCOTT FLOYD

MOTION FOR 14 DAY CONTINUANCE

Comes now Counsel for PATRICK FLOYD and moves the Court to continue the hearing of this revocation petition for 14 or more days.

1. This is a hearing on revocation of supervised release.
2. The bases for the petition are the subjects of a Putnam County, Tennessee DUI case.
3. Counsel had been misinformed that the state case would be tried on or before March 8,

but now is informed that the state matter will on that day be set for a future trial date. In conversation with state counsel and the client today, Counsel in this case learned of two persons as crucial witnesses to establish the innocence of Mr. Floyd who had not been known to Counsel beforehand. Counsel is moving as swiftly as possible to complete subpoenas and have them served; however, the Marshals do not represent that service can be guaranteed to be complete within the time between today and March 11, 2013 (the day on which this matter is set for hearing.)

5. Mr. Floyd is indigent and Counsel is an appointed CJA panel attorney, for which normal service of subpoena is made by the Marshals's service with the cost and witness fees covered under applicable statutes. If Counsel is to gain service of process on the witnesses sufficient to compel attendance, the use of private servers will be required (as Counsel is a solo practitioner without staff,) and the payment of same (and the witness attendance fees) will probably have to be tendered out of the private funds of Counsel, without known statutory authority for reimbursement (per panel administrators.) The cost of a reasonable private server in Cookeville will be at least \$100 for two witnesses. The witness per diem is \$80 for two persons and the mileage would be approximately \$187